

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

February 7, 2001

ONE STAR LONG DISTANCE, INC.  
Petition for Approval of Revised Terms  
And Conditions

Docket No. 2000-945

ORDER APPROVING REVISED  
TERMS AND CONDITIONS

ONE STAR LONG DISTANCE, INC.  
Petition for Finding of Public Convenience  
And Necessity to Expand Authority to  
Include Facilities-Based Switched Local  
Exchange Service

Docket No. 2000-946

ORDER APPROVING EXPANSION  
OF AUTHORITY TO INCLUDE  
FACILITIES-BASED LOCAL  
EXCHANGE SERVICE

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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**I. SUMMARY**

In this Order, the Commission grants One Star Long Distance (One Star or Company) the authority to provide switched facilities-based competitive local exchange service in the service area(s) of the Portland, Lewiston, Bangor, Biddeford and Augusta exchange(s) of Verizon-Maine and approves the Company's revised Terms and Conditions and Rate Schedules.

**II. APPROVAL OF APPLICATION**

On November 22, 2000, One Star Long Distance, Inc. (One Star) filed a petition to expand its local service authority to include provision of switched, facilities-based service. One Star also requested that we approve both the revisions to its local exchange terms and conditions. Previously, in Docket No. 99-82 we granted One Star authority to provide resold local exchange service and approved its terms and conditions for local exchange service.

Before we approve a local exchange carrier's (LEC's) request to provide facilities-based local exchange service, we must determine whether the LEC has made a reasonable showing that it will be providing facilities-based service to the area in question within six months. We have reviewed the facilities readiness documentation provided by One Star and find that it has made a reasonable showing that it will be providing service within six months in the areas listed in the ordering paragraphs below. If One Star wishes to expand its facilities-based local exchange service area in the future, it shall seek such approval pursuant to 35-A M.R.S.A. § 2102, requesting the Commission to amend this Order. Any such request must specify the exchanges where it proposes to offer service and include information establishing a readiness to provide

facilities-based local exchange service within six months in the specifically identified areas.

### III. APPROVAL OF TERMS AND CONDITIONS

We have also reviewed both the revised terms and conditions for local service and they appear to comply with Maine law and the Commission's Rules. Nevertheless, if there is any conflict between a provision in One Star's terms and conditions and the Commission's Rules or a statute, the rule or statute will control.

### IV. ORDERING PARAGRAPHS

Accordingly, we

1. Grant, pursuant to 35-A M.R.S.A. §§ 2102 and 2105, the request of One Star to provide facilities-based competitive local exchange telephone service in the service area(s) of the Portland, Lewiston, Bangor, Biddeford and Augusta exchanges of Verizon-Maine; and

2. Order that One Star's revised terms and conditions and rate schedules for local service (listed below), attached to this Order, shall be effective on the date of this Order.

4<sup>th</sup> Revised Page 1, Textual Change  
1<sup>st</sup> Revised Page 2, Addition of definitions

Original Page 2.1, Addition of regulations  
1<sup>st</sup> Revised 7.1, Addition of regulation  
1<sup>st</sup> Revised 7.2, Addition of regulation  
Original Page 7.3, Relocation of text  
Original Page 7.4, Relocation of text  
Original Page 7.5, Addition of regulation  
Original Page 7.6, Addition of regulation  
Original Page 7.7, Addition of regulation

Original Page 7.8, Addition of regulation  
1<sup>st</sup> Revised Page 8, Inclusion of facilities-based service language

1<sup>st</sup> Revised 8.1, Textual change  
1<sup>st</sup> Revised Page 8.2, Textual change  
3<sup>rd</sup> Revised Page 10, Textual change  
3<sup>rd</sup> Revised Page 11, Textual change  
1<sup>st</sup> Revised Page 13, Textual change  
1<sup>st</sup> Revised Page 14.1, Textual change  
1<sup>st</sup> Revised Page 21, Textual change

Original Pages 22-24, Addition of facilities-based service rates

Dated at Augusta, Maine, this 7<sup>TH</sup> day of February, 2001.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:

Welch  
Nugent  
Diamond

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.